

AMENDMENTS TO THE SPECIFICATION

Applicant submits the following remarks in response to the Office Action mailed December 16, 2004.

Now in the Application are claims 1-3, 5-20, 23, 24 and 27-31. All other claims having been withdrawn.

Drawings

Responsive to paragraph 1 and 2 of the instant action, the drawings have been amended to address the informalities noted by the Examiner.

Specifically, Foundation has been relabeled 102 as shown in the amended Figure 1 and 2 submitted herewith and labeled "Replacement Sheet" pursuant to 37 CFR 1.21. No marked-up copies are provided.

Additionally, Sleeping Surface 365 has been relabeled as Sleeping Surface 367 as shown in Amended Figure 3 submitted herewith and labeled "Replacement Sheet" pursuant to 37 CFR 1.21. No marked-up copies are provided.

Amendments to the Specification:

Please replace paragraph [0026] with the following paragraph:

[0026] Described herein is an adjustable mattress having a sleeping surface elevation actuation mechanism fully enclosed within the mattress 100, which then fits directly onto a conventional bed frame or foundation [[110]] 102 so that, when the bed is in a flat or "down" position, it looks just like a conventional mattress or bed. This configuration is shown in Figure 1A. The mattress 100 may, in some embodiments, extend beyond (over) all four sides of frame [[110]] 102, as shown from a top-down perspective in Figure 2. Furthermore, mattress 100 may be temporarily or releasably attached to frame [[110]] 102 by one or more conventional attachment devices 220, such as C-clamps or hook & loop type fasteners.

Please replace paragraph [0039] with the following amended paragraph:

[0039] The base 320 may be permanently mounted directly to the bottom surface 360 of the mattress 300 (referring to Figs. 3A and 3B) or 301 (referring to Figs. 3C and 3D), or it may be mounted on a sub-structure (not shown) parallel to but not in direct contact with the inside of bottom surface 360. The cover 160, wrapping all the way around the mattress 300 and forming both a sleeping surface [[365]] 367 and a bottom surface 360, may then encompass conventional padding or ticking in the interior space between the base 320 (and/or any sub-structure) and the cover 160. Alternatively, the base 320 may form at least a part of the bottom surface 360, with the balance of that surface (if any) formed from rigid panels attached to and surrounding the base 320. Such bottom panels (not shown), together with the base 320, may thus form a type of mattress bottom as commonly seen in “no-flip” mattress styles. The cover 160 may then encompass all surfaces, as noted above, or be attached only at the perimeter of the bottom surface 360, thereby leaving the bottom surface 360 uncovered.

Please replace paragraph [0040] with the following amended paragraph:

[0040] In operation, when the motor 310 is actuated, the torque produced on the rotor 313 (Figs. 3C and 3D) or the axle 340 (in Figs. 3A and 3B) will cause the armature 330 to lift up, toward the sleeping surface [[365]] 367 (shown by an arrow 390 in Fig. 3A), thus elevating a corresponding portion (e.g., head or foot) of the mattress. The armature and motor assemblies 330, 310 (including the appropriate axle, bearing, and/or flange elements) could be mounted on either end of the base 320, allowing for movement of both the head and/or foot portions of the mattress 300.